

S/N 10/077667



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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Allon G. Engelman

Examiner: Mendoza, Robert J.

Serial No.: 10/077667

Group Art Unit: 3713

Filed: February 15, 2002

Docket No.: 47079-0127

Title: GAMING MACHINE WITH BLOCK WAGERING

STATEMENT OF SUBSTANCE OF INTERVIEW

Mail Stop AF
Commissioner for Patents
P.O.Box 1450
Alexandria, VA 22313-1450

Applicant's representative, Michael J. Blankstein, appreciates the telephonic interview afforded by Examiner Mendoza on March 24, 2004. In the interview, claims 1 and 25 and the cited reference to Yoseloff (US 6311976) were discussed, but an agreement with respect to the claims was not reached. No exhibit or demonstration was presented. The Interview Summary Form accurately indicates the arguments presented during the interview.

The Examiner relies upon the following excerpt of Yoseloff as disclosing the block wagering invention claimed by Applicant: "awarding at least one type of non-monetary credit to the player after collection of non-monetary credits during a set time." Col. 7:40-50. Applicant's representative strongly disagreed in the interview with this mischaracterization of Yoseloff and continues to disagree.

As discussed in detail in the Amendment filed 7/8/03, Yoseloff is entirely devoid of any disclosure or suggestion of Applicant's block wagering invention and is merely representative of the prior art noted in the background section of Applicant's specification. Applicant respectfully requests that the Examiner reconsider Yoseloff and the points raised in Applicant's prior Amendment. Applicant submits that the Examiner has misinterpreted some of the vague disclosures in Yoseloff using Applicant's own teachings when, in fact, Yoseloff so clearly teaches away from Applicant's invention that Yoseloff should only be interpreted to require a new wager on each play of its so-called "first game." See 7/8/03 Amendment, pp. 8-10. The various embodiments in Yoseloff never disclose or suggest Applicant's claimed invention.

Applicant's claimed invention requires, among other things, (1) that a player purchase a series of plays of a basic portion of a wagering game, i.e., block wagering and (2) that an accumulation feature accumulate a game element over the purchased series. Yoseloff fails to disclose or suggest feature (1) and, for the reasons stated above and in Applicant's 7/8/03 Amendment, actually teaches away from feature (1). Regarding feature (2), Yoseloff states:

Upon the occurrence of a predetermined triggering event [in the first or basic game], awarding at least one type of non-monetary credit (or a temporary/artificial credit having no immediately redeemable cash or prize value) to the player; 1) at the conclusion of the first game, 2) at the conclusion of a number of first games, 3) upon the occurrence of a second triggering event, 4) after collection of a predetermined number of at least one type of non-monetary credits during the first game, or 5) after collection of non-monetary credits during a set time period. *Col. 7:40-50 (Bracketed Information Added)*

The above paragraph in Yoseloff is only directed to the timing of an award of non-monetary credits and *has nothing whatsoever to do with whether or not the player must make a wager for each play of the first or basic game*. For example, Yoseloff states that a non-monetary credit can be awarded "after collection of non-monetary credits during a set time period." Nowhere in the above paragraph does Yoseloff eliminate the need for the player to place a wager on each play of the first or basic game.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the prior art rejection.

Respectfully submitted,

ALLON G. ENGLMAN

By his Representatives,

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail-Stop AF, Commissioner of Patents, P.O.Box 1450, Alexandria, VA 22313-1450, on this 6th day of April, 2004

Pamela K. Lowenthal

Name

Signature

